

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

v.

MOSSIMO GIANNULLI and LORI
LOUGHLIN,

Defendants.

Case No. 19-cr-10080

**DEFENDANTS MOSSIMO GIANNULLI AND LORI LOUGHLIN'S
SECOND SUPPLEMENTAL MEMORANDUM REGARDING TRIAL GROUPINGS**

In the event the Court elects to set a trial date at tomorrow's status conference (*see* ECF No. 875), Defendants Loughlin and Giannulli file this memorandum to supplement their proposed trial groupings submitted on February 12, 2020. *See* ECF No. 846. Defendants continue to recommend the same three trial groupings but now further propose that the following group be tried first. Defendants take no position on the order of the second and third trials.

Trial 1

Defendant	Alleged Conduct
Gamal Abdelaziz	USC donations
Diane Blake and Todd Blake	USC donations
Mossimo Giannulli and Lori Loughlin	USC donations
John Wilson	USC donations

Trials 2 and 3

Defendant	Alleged Conduct		Defendant	Alleged Conduct
I-Hsin "Joey" Chen	Testing		Elisabeth Kimmel	Georgetown and USC donations
Amy Colburn and Gregory Colburn	Testing		Marci Palatella	Testing and USC donations
David Sidoo	Testing		William McGlashan Jr.	Testing and USC allegations
			Homayoun Zadeh	USC donations
			Robert Zangrillo	USC donations

In light of this supplemental proposal, Defendant Zadeh¹ now joins in this recommendation and no longer support the Government's proposed trial groupings. *See* ECF Nos. 848 & 849.

As noted in Defendants' initial filing, Defendants proposed trial groupings is significantly preferable to the Government's proposal for several reasons. Unlike the Government's proposal, Defendants' recommendation has a clear organizing principle of treating like Defendants alike. That structure will help to ensure that the proceedings are both efficient and fair. It will help to streamline the trials by reducing motion practice about potentially prejudicial evidence unrelated to certain Defendants. Those efficiencies will have the added benefit of substantially reducing the number rulings the Court will need to make on complex motions and simplifying the jury instructions, thereby decreasing the chances that a reversible error occurs during one of the trials.

Dated: February 26, 2020

Respectfully submitted,

/s/ Sean M. Berkowitz

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¹ Defendant Zadeh's first preference is for the four-trial proposal made by Defendant Kimmel, ECF No. 847, but joins this proposal as a second option and no longer supports the Government's proposal.

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CERTIFICATE OF SERVICE

I certify that the foregoing document, which was filed with the Court through the CM/ECF system, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing, and paper copies will be sent on February 26, 2020 to those identified as non-registered participants.

/s/ Sean M. Berkowitz
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